

Starting Your Campaign – Candidates

Texas Ethics Commission – April 2021

You Decided to Run for Office – Now What??

- First, review the information on the website about starting a new campaign
- File a Campaign Treasurer Appointment
- Open a separate bank account if you plan to accept contributions
- Be aware of filing deadlines
- Keep records of contributions and expenditures so you can file your Campaign Finance Reports
- Know about possible penalties for missing or late reports
- Then, and ONLY then, start campaigning! Have fun!

You can also split your content

- What is it?
- Why is it important?
- Who can be a campaign treasurer?
- CTA Forms
- Where to file

Who is a Candidate?

A person who knowingly and willingly takes *affirmative action* for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election.

Tex. Elec. Code § 251.001(1).

Examples of Affirmative Action

- (A) the filing of a campaign treasurer appointment;
- (B) the filing of an application for a place on the ballot;
- (C) the filing of an application for nomination by convention;
- (D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;
- (E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;
- (G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and
- (H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

Tex. Elec. Code 251.001(1)

What is a CTA Form and Why is it Important?

- A document that appoints someone to be the campaign treasurer for a candidate.
- Candidates may not knowingly accept a campaign contribution or make/authorize a campaign expenditure when a CTA is not in effect.

Tex. Elec. Code §§ 252.011; 253.031.

Who Can be a Campaign Treasurer?

- Anyone except someone who is already a treasurer of a PAC that has outstanding reports or civil penalties.
 - But this exception does not apply if the PAC in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period.
 - A person who violates this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this section.
- A candidate can appoint him/herself as their campaign treasurer.

Tex. Elec. Code § 252.0011(a); 252.004.

Form CTA

- The Commission is required by law to create the CTA form, which can be found on our website here: <https://www.ethics.state.tx.us/data/forms/coh/cta.pdf>
- This form covers all information that is required by law.
- Three types of TA forms
 - CTA (candidate)
 - GTA (GPACs or general-purpose political action committees)
 - STA (SPACs or specific-purpose political action committees)

Tex. Elec. Code §§ 252.002; 252.003; 252.0031.

CTA Form, Page 1

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE		FORM CTA Pg 1
See CTA Instruction Guide for detailed instructions.		3 Total pages filed
2 CANDIDATE NAME	MR / MRS / MS FIRST MI	OFFICE USE ONLY File ID # Date Received Date Filed/Returned by Postmarked Received # Amount Date Processed Date Signed
	NAME LAST SUFFIX	
3 CANDIDATE MAILING ADDRESS	ADDRESS (PO BOX) APT / SUITE # CITY STATE ZIP CODE	
4 CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION ()	
6 OFFICE HELD (if any)		
6 OFFICE SOUGHT (if any)		
7 CAMPAIGN TREASURER NAME	MR/MRS/MR FIRST MI MRS/MRS LAST SUFFIX	
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS APT / SUITE # CITY STATE ZIP CODE	
9 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION ()	
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p>_____ Signature of Candidate</p> <p>_____ Date Signed</p>	

Modified Reporting for Candidates

- Excuses an opposed candidate from filing 30-day and 8-day pre-election reports and runoff reports.
- An opposed candidate is eligible only if the candidate does not intend to exceed either \$930 in contributions or \$930 in expenditures in connection with an election.
- If an opposed candidate selects modified reporting but later exceeds that threshold, they have to file certain pre-election reports, depending on when they exceeded the threshold
- Modified reporting lasts for an entire election cycle, so as long as the threshold isn't exceeded.

Tex. Elec. Code §§ 254.181; 254.183-184; 1 Tex. Admin. Code § 20.1(5).

CTA Form, Page 2

CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

11 CANDIDATE
NAME

12 MODIFIED
REPORTING
DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

**-- This declaration must be filed no later than the 30th day before
the first election to which the declaration applies. --**

-- The modified reporting option is valid for one election cycle only. --
(An election cycle includes a primary election, a general election, and any related runoffs.)

**-- Candidates for the office of state chair of a political party
may NOT choose modified reporting. --**

I do not intend to accept more than \$930 in political contributions
or make more than \$930 in political expenditures (excluding filing
fees) in connection with any future election within the election
cycle. I understand that if either one of those limits is exceeded, I
will be required to file pre-election reports and, if necessary, a
runoff report.

Year of election(s) or election cycle to
which declaration applies

Signature of Candidate

Where Candidates Must File CTAs

(1) Texas Ethics Commission, if running for:

- a statewide office;
- a district office filled by voters of more than one county;
- a judicial district office filled by voters of only one county;
- state senator;
- state representative; or
- the State Board of Education

(2) County Clerk, if running for a county office, a precinct office, or a district office other than one included above; or

(3) Clerk or Secretary of the governing body of the political subdivision or, if the political subdivision has no clerk or secretary, with the governing body's presiding officer, if running for an office of a political subdivision other than a county.

Tex. Elec. Code § 252.005

You can also split your content

If information needs to be changed on a CTA form, an amendment form (ACTA) must be filed in order for those changes to be in effect. This amendment form can also be found on the Commission's website:

<https://www.ethics.state.tx.us/data/forms/coh/acta.pdf>.

Form Security

- Only for TEC filers
- Gains filer access to TEC's electronic filing application
- File at same time as CTA
- Local Filers who wish to use TEC's electronic filing application to draft their reports should go here:
<https://www.ethics.state.tx.us/filinginfo/LOCALindex.php>

When do you Need to File a Form Security?

- If you are required to file reports with the Texas Ethics Commission, you may use this form for any of the following purposes:
 - 1. You are a new Texas Ethics Commission filer who has not been assigned a Filer ID by the Texas Ethics Commission.
 - 2. You have not yet provided to the Texas Ethics Commission a valid primary email address.
 - 3. You want the Texas Ethics Commission to reset your password.
 - 4. You want to clear your Security Questions and Answers.
 - 5. You are locked out of your account due to an email issue.

Form Security

FORM SECURITY FOR: CAMPAIGN FINANCE (Texas Ethics Commission Filers Only)		FORM SECURITY - CF	
<i>Please print or type everything other than your signature. See the next page for additional information.</i>		OFFICE USE ONLY	
1 FILER ID # (Ethics Commission Filers)		Date Received	
2 NAME OF FILER SUBMITTING PRIMARY EMAIL ADDRESS	<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms.		
3 COMMITTEE NAME (if committee)			
4 REASON FOR FILING THIS FORM (check at least one)	<input type="checkbox"/> I want to provide my primary email address for the Texas Ethics Commission to send email password links and other notices.	Date Hand-delivered or Date Postmarked	
	<input type="checkbox"/> I want the Texas Ethics Commission to set/reset my password.	Date Processed	
	<input type="checkbox"/> I want the Texas Ethics Commission to clear my Security Questions and Answers.	Date Imaged	
4A PRIMARY EMAIL ADDRESS			
5 FILER CONTACT TELEPHONE (to be used if email address is invalid)	AREA CODE ()	PHONE NUMBER	EXTENSION
6 CAMPAIGN FINANCE FILER TYPE	<input type="checkbox"/> COH CANDIDATE/OFFICEHOLDER	<input type="checkbox"/> CEC COUNTY EXECUTIVE COMMITTEE	
	<input type="checkbox"/> JOCH JUDICIAL CANDIDATE/OFFICEHOLDER	<input type="checkbox"/> MOC MONTHLY COUNTY EXECUTIVE COMMITTEE	
	<input type="checkbox"/> SCOH STATE/COUNTY CHAIR	<input type="checkbox"/> DCB DIRECT CAMPAIGN EXPENDITURES	
	<input type="checkbox"/> MPAC MONTHLY GENERAL PURPOSE COMMITTEE	<input type="checkbox"/> ASIP SPAC AS IF SPECIFIC PURPOSE COMMITTEE	
	<input type="checkbox"/> GPAC GENERAL PURPOSE COMMITTEE	<input type="checkbox"/> LEG LEGISLATIVE CAUCUS	
	<input type="checkbox"/> JSPEC JUDICIAL SPECIFIC PURPOSE COMMITTEE	<input type="checkbox"/> PTYCORP POLITICAL PARTY	
	<input type="checkbox"/> SC SPAC STATE/COUNTY SPECIFIC PURPOSE COMMITTEE	<input type="checkbox"/> SPK SPEAKER	
	<input type="checkbox"/> SPAC SPECIFIC PURPOSE COMMITTEE		
	<input type="checkbox"/> SPAC FILING FOR SCHOOL BOND ELECTIONS ONLY. Attach a copy of your treasurer appointment stamped by your school district.		
	7 FILER SIGNATURE	I swear, or affirm, under penalty of perjury, that I am the person required by law under the Texas Ethics Commission jurisdiction to file Campaign Finance reports with the Texas Ethics Commission. This document is my official submission of a primary email address for the purpose of receiving a password link to be used to file electronic reports with the Texas Ethics Commission.	
	_____ Signature		

Finding Forms on TEC Website

The screenshot shows the Texas Ethics Commission website. At the top, there is a search bar with the text "ENHANCED BY Google" and a magnifying glass icon. Below the search bar is a navigation menu with the following items: Resources, Opinions/Statutes/Rules, Filing Reports, Training, Forms/Instructions, Search, and Home. A dropdown menu is open under "Forms/Instructions", listing various categories: Candidate/Officeholder, Political Committee, Political Party, Individuals/Entities Direct Campaign Expenditure, Legislative Caucus, Speaker, Personal Financial Statement, Lobbyist, Treasurer Appointment (circled in red), Security, Affidavit, Conflict Of Interest, Sworn Complaint, and Other. Below the navigation menu, there is a banner for "Next Commission" with a play button and a pause button. The main content area is titled "Forms & Treasurer App" and "Instructions for Delivering TAs". The text below the title reads: "If you are on an upcoming ballot or are the treasurer of a political committee involved in an election, then... Texas state law requires all candidates, all officeholders, and all political committees to file a campaign treasurer appointment with the appropriate filing authority. You are required to have a campaign treasurer appointment on file with your filing authority EVEN IF YOU DO NOT PLAN TO RAISE OR SPEND ANY MONEY. Follow these steps to file your treasurer appointment form with your filing authority. 1. Select the appropriate Treasurer Appointment (TA) form from the list at the left side of this page. 2. Fill out the TA form. Read the TA form carefully and fill out all fields and all pages. Consider using business street addresses instead of residence addresses so that you do not advertise home addresses. 3. Determine your filing authority. Local filers file their treasurer appointments with their local filing authority. Statewide filers file their treasurer appointments with the Texas Ethics Commission. See question 4 in Frequently Asked Questions about the 2018 Elections to determine your filing authority. 4. Deliver your completed TA form to your filing authority. If you file with the Texas Ethics Commission, you may: a. EMAIL the signed PDF attachment to treasappoint@ethics.state.tx.us, or b. MAIL the signed form to Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070.

Resources

- Commission provides detailed guides for candidates, which can be found online at <https://www.ethics.state.tx.us/resources/cf/>
- FAQs for candidates:
https://www.ethics.state.tx.us/resources/FAQs/FAQ_COH_Legal.php
- Icon: I Want to “Campaign in Texas”:
<https://www.ethics.state.tx.us/resources/cf/StartEndCampaign.php>
- Updated filing schedules for filing campaign finance reports can be found at:
https://www.ethics.state.tx.us/filinginfo/schedules/filing_schedules.php
- If you or your client ever have a question, give the Commission a call: 512-463-5800